

## Message Text

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ACTION EB-07

INFO OCT-01 AF-08 EUR-12 IO-13 ISO-00 AGR-05 CEA-01

CIAE-00 COME-00 DODE-00 FRB-03 H-02 INR-07 INT-05

L-03 LAB-04 NSAE-00 NSC-05 PA-01 AID-05 CIEP-01 SS-15

STR-04 ITC-01 TRSE-00 USIA-06 PRS-01 SP-02 OMB-01

FEA-01 ARA-06 EA-07 NEA-10 STRE-00 AGRE-00 /137 W  
----- 012448

R 011417Z OCT 76

FM USDEL MTN GENEVA

TO SECSTATE WASHDC 1922

INFO USMISSION EC BRUSSELS

AMEMBASSY NAIROBI

AMEMBASSY PARIS

LIMITED OFFICIAL USE SECTION 1 OF 2 MTN GENEVA 7701

DEPARTMENT PASS AGRICULTURE

NAIROBI FOR AMBASSADOR WILLIAM WALKER

STR ACTION

E.O. 11652: NA

TAGS: ETRD MTN

SUBJECT: AGRICULTURE

REF: MTN GENEVA 7441

1. SUMMARY: EC REPS REOPENED BILATERAL PROBING FOR  
WAY TO GET OVER AGRICULTURE PROCEDURAL IMPASSE, TAKING  
MORE MODERATE LINE THAN WEEK EARLIER. WE ARE SCHEDULED  
TO RESUME DISCUSSIONS OCT 5 UPON AMB WALKER'S RETURN.  
END SUMMARY.

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2. AT LUYTEN'S REQUEST, KOENING AND I MET WITH HIM AND

JACQUOT FOR OVER TWO HOURS SEPT 30 TO EXPLORE POSSIBLE WAYS TO GET OUT OF THE PROCEDURAL SWAMP TO BE ENDORSED AT AN EARLY MEETING OF GROUP AGRICULTURE. WE UNDERSTAND LUYTEN ASKED JACQUOT TO COME TO GENEVA SOLELY FOR THIS MEETING. THEY WERE BOTH IN AN AFFABLE NON-BELLIGERENT MOOD AND GAVE IMPRESSION THEY WANTED TO FIND A WAY TO PAPER THINGS OVER ONCE AGAIN TO UNBLOCK WORK IN FUNCTIONAL GROUPS. THEY DID NOT SAY WHAT DATE THEY HAD IN MIND FOR A MEETING OF GROUP AGRICULTURE, TAKING POSITION THEY PREFERRED FIRST TO TRY TO WORK OUT THE SCENARIO WITH U.S.

3. STANDARDS. JACQUOT RECALLED U.S. AND EC HAD REACHED AN UNDERSTANDING A YEAR AGO ON GROUP AGRICULTURE'S MANDATE TO TAKE UP THE STANDARDS CODE. THIS WAS IN THE DENT-SOAMES TEXT OF OCT 1975 WHICH FELL APART FOR REASONS OTHER THAN THE PARAGRAPH ON STANDARDS. POINT JACQUOT WISHED TO STRESS WAS THAT WE HAD AN UNDERSTANDING AT ONE STAGE THAT GROUP AG HAD A BIT MORE LEEWAY TO EXAMINE ALL AGRICULTURE ASPECTS OF THE CODE THAN SEEMED TO BE CONVEYED BY THE EARLIER LANGUAGE OF DOCUMENT MTN/NTM 1 WHICH LIMITED GROUP AG'S EXAMINATION TO HEALTH AND SANITARY REGS. (ANOTHER FORMULATION ON STANDARDS WAS AGREED BETWEEN U.S. AND EC AT DENT-SOAMES MEETING JAN 22, 1976; I.E., "IT WAS AGREED GROUP AGRICULTURE SHOULD REVIEW HEALTH AND SANITARY ASPECTS OF THE DRAFT CODE AT AN EARLY DATE AS WELL AS ALL ASPECTS OF THE DRAFT CODE AS IT RELATES TO AGRICULTURE" BUT JACQUOT DID NOT CITE THIS NOR DID WE REMIND HIM OF IT SINCE WE WANTED TO WORK FOR SOMETHING CLOSER TO MTN/NTM 1 FORMULATION.) LUYTEN DREW OUR ATTENTION TO THE NOTE BY CHAIRMAN OF GROUP AG ON 7 JULY 1976 (MTN/AG/W/10), NOTED THAT SO FAR AS HE KNEW NO ONE HAD OBJECTED TO THIS INITIATIVE BY THE CHAIRMAN EVEN THOUGH IT PICKED UP LANGUAGE FROM MTN/NTM 17 PARA 9 WHICH DIFFERED SLIGHTLY FROM THE EARLIER NTM 1 LANGUAGE. LUYTEN ASKED IF WE COULD GO ALONG WITH A SIMPLE AGENDA FORMULATION BASED ON AG/W/10: REVIEW OF THE APPLICABILITY OF THE DRAFT STANDARDS CODE TO AGRICULTURAL PRODUCTS. I SAID I WOULD HAVE TO CONSULT WASH FOR LIMITED OFFICIAL USE

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OFFICIAL APPROVAL BUT PERSONALLY THOUGHT IT WOULD BE ACCEPTABLE.

4. WE DISCUSSED WHAT SHOULD HAPPEN AT GROUP AG IF STANDARDS CODE IS ON AGENDA IN THIS FASHION. EC REPS MADE IT CLEAR THEY ANTICIPATE ONLY PROCEDURAL DISCUSSION AT FIRST MEETING SUCH AS DECIDING WHETHER TO INVITE WRITTEN COMMENTS OR QUESTIONS ABOUT AG ASPECTS

OF DRAFT CODE AND FIXING DATE FOR FIRST SUBSTANTIVE DISCUSSION. THEY WERE WILLING TO START CONSIDERATION IN GROUP AG (NOT A SUB-GROUP) BUT CAUTIONED THAT IF SIGNIFICANT NUMBER OF TECHNICAL AG PROBLEMS DO ARISE, THEY MIGHT SEEK ESTABLISHMENT OF A SUB-GROUP.

5. NON-TARIFF MEASURES NOT DEALT WITH MULTILATERALLY (NTMNDWM). LUYTEN BEGAN BY SAYING HE WAS LOOKING FOR SOME WAY TO "FUDGE" THIS ONE SINCE EARLIER DISCUSSION (REFTEL) INDICATED IT UNLIKELY WE COULD RESOLVE IT BY RESTATING OUR RESPECTIVE POSITIONS ABOUT EXCLUSIVITY OF GROUP AG. HE WONDERED IF WE COULD GET OUT OF IT BY HAVING THE CHAIRMAN MAKE SOME REFERENCE TO GROUP AGRICULTURE'S DECISIONS LAST DECEMBER. LUYTEN DID NOT OFFER A PRECISE TEXT OR PRESS ME TO ACCEPT OR AMEND HIS ORAL FORMULATION ON THE SPOT. OUR NOTES INDICATE HIS FORMULA RAN ALONG THESE LINES: CHAIRMAN OF GROUP AG WOULD DRAW THE GROUP'S ATTENTION TO THE FACT THAT A PROBLEM ABOUT NTMNDWM AROSE IN THE NTM PARENT GROUP AND, IN THIS CONNECTION, HE RECALLS THE DECISION GROUP AG TOOK IN DECEMBER 1975. LUYTEN OPINED IT WAS UNLIKELY ANYONE WOULD REACT TO SUCH A STATEMENT BECAUSE ITS MEANING WAS SO OBSCURE BUT THEN, SO FAR AS EC IS CONCERNED, THE WAY WOULD BE OPEN TO UNBLOCK NTMNDWM IN THE NTM PARENT GROUP WHERE THE CHAIRMAN COULD SAY WE'VE HAD THIS PROPOSAL BEFORE US TWICE AND HE WONDERS IF THE PARENT GROUP CAN NOW ACT ON IT IN THE LIGHT OF THE RECENT DISCUSSION ON THIS IN GROUP AGRICULTURE. ONCE AGAIN, LUYTEN SUGGESTED ONE WOULD UNDERSTAND WHAT THIS MEANS. I SAID HIS REFERENCE TO "IN THE LIGHT OF" GROUP AG DISCUSSION WAS A PROBLEM AND I WAS NOT SURE AUSTRALIA WOULD RIDE ALONG IN SILENCE BUT I WOULD THINK ABOUT IT.

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CIAE-00 COME-00 DODE-00 FRB-03 H-02 INR-07 INT-05

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FEA-01 ARA-06 EA-07 NEA-10 STRE-00 AGRE-00 /137 W

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R 011417Z OCT 76

FM USDEL MTN GENEVA

TO SECSTATE WASHDC 1923

INFO USMISSION EC BRUSSELS

AMEMBASSY NAIROBI

AMEMBASSY PARIS

LIMITED OFFICIAL USE SECTION 2 OF 2 MTN GENEVA 7701

DEPARTMENT PASS AGRICULTURE

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STR ACTION

6. MEXICAN PROPOSAL. JACQUOT SAID EC HAD NO PROBLEM WITH PROPOSAL (NTM/W/29) TO UPDATE QR INVENTORY BUT STRESSED THAT THE MAJOR POLICY ISSUE POSED BY MEXICO (PREFERENTIAL ELIMINATION FOR LDCS) WAS SOMETHING FOR TNC NOT GROUP AG TO DISCUSS. (NO SPECIFIC PROPOSAL WAS MADE AT THIS MEETING ABOUT HOW TO FORMULATE AN AGENDA ITEM, IF ANY, ON THE MEXICAN PROPOSAL BUT THERE IS AN IMPLICATION EC WANTS A PROCEDURE ALONG LINES PARA 7 BELOW.)

7. TRIF. LUYTEN DREW OUR ATTENTION TO PARA 37 OF MTN/11 (OCT 1974) WHICH RECORDS AGREEMENT IN GROUP AG'S LIMITED OFFICIAL USE

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PREDECESSOR (GROUP 3E) THAT THE TRIF SHOULD INCLUDE PRODUCTS IN CHAPTERS 1-24. LUYTEM SAID HE COULD AGREE TO DROP THE PHRASE IN THAT PARAGRAPH ABOUT THE GROUP "EXERCISING ITS RESPONSIBILITY FOR CHAPTERS 1-24" SINCE HE ASSUMED U.S. WOULD FIND IT DIFFICULT TO ENDORSE THAT 1974 LANGUAGE TODAY. THERE, TOO, NO PRECISE FORM OF WORDS WAS ADVANCED ABOUT AN AGENDA ITEM OR DISPOSITION IN GROUP AG BUT WHAT LUYTEN/JACQUOT SEEMED TO BE SAYING WAS IT IS OK THAT THE TRIF INCLUDE AG NTM SYMBOLS, BUT GROUP AG SHOULD TAKE A PROCEDURAL STEP TO ACKNOWLEDGE IT IS BEING DONE.

8. REPORTING PROCEDURES. AFTER SOME DISCUSSION OF WHAT THE QR SUBGROUP TEXT (NTM/9) MEANS IN ENGLISH AND FRENCH AND ASCERTAINING THAT THE FRENCH TEXT IS MORE NUANCED THAN ENGLISH, LUYTEN SUGGESTED A WAY TO GET AROUND OUR PROBLEM OF WHETHER REPORTS MUST BE WRITTEN

(U.S.), OR MIGHT BE EITHER WRITTEN OR ORAL (EC), MIGHT BE SIMPLY TO REPEAT IN GROUP AG THE SAME FORMULATION USED BY THE QR SUBGROUP IN PARA 9 OF NTM/9 AND EACH OF US COULD INTERPRET IT AS WE WISH. I SAID THIS WOULD BE HARD FOR US TO ACCEPT SINCE WE COULD SEE NO WAY TO CARRY OUT THE DEC 1975 TNC AGREEMENT ABOUT IMMEDIATE COMMUNICATION OF INFO ON CONSULTATIONS UNLESS REPORTS WERE WRITTEN. LUYTEN RESPONDED THE QUESTION OF WHETHER WRITTEN REPORTS ARE WORTH PREPARING DEPENDS ON WHAT HAPPENS IN THE CONSULTATIONS; EC IS SUBMITTING SUBSTANTIAL NUMBER OF WRITTEN REPORTS ON BILATERAL CONSULTATIONS BUT NOT IN EVERY CASE, E.G. WHEN THEY FIND OTHER SIDE UNPREPARED AND AFTER CLARIFYING A FIGURE OR TWO THEY AGREE TO MEET AGAIN LATER. WHY FLOOD GENEVA AND CAPITALS WITH REPORTS OF THAT KIND, HE ASKED. WE TURNED BRIEFLY TO PROBLEM POSED BY EC DESIRE TO SAY GROUP AG IS "SEIZED" WITH REPORTS ON BILATERALS. LUYTEN AND JACQUOT ASKED US TO THINK ABOUT A FORMULATION WHICH WOULD HAVE THE CHAIRMAN DRAW ATTENTION TO THE FACT THAT REPORTS ON BILATERAL CONSULTATIONS ARE BEFORE GROUP AG AND, IN ACCORDANCE WITH PARA "(D) OF MTN/AG/4 T IS OPEN TO THE GROUP TO CONSIDER HOW TO PURSUE ITS WORK. LUYTEN AND JACQUOT CONFIRMED THEY HAD NO PROBLEM WITH A CONTINUATION OF THE SAME PROCEDURE WE WORKED OUT IN LIMITED OFFICIAL USE

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FEB FOR CIRCULATION OF LETTERS AMONG CHAIRMAN OF ALL GROUPS AND SUBGROUPS WITH COPIES OF REPORTS ON MEETINGS SO THAT IT IS OPEN TO ANY DELEGATION TO COMMENT ON ANY OF THESE REPORTS IN ANY GROUP OR SUBGROUP IN IT WISHES TO DO SO. TIME RAN OUT (JACQUOT DEPARTURE FOR AIRPORT) BEFORE WE COULD COMPLETE DISCUSSION OF THIS TOPIC AND IT, TOO, WILL BE RESUMED ON OCT. 5.

9. COMMENT. WE ARE PAINFULLY AWARE OF THE PERILS OF TRYING TO RECORD PROCEDURAL UNDERSTANDINGS WITH EC ONLY TO FIND NEW PROBLEMS A WEEK OR SO LATER. IT IS CONCEIVABLE LUYTEN AND JACQUOT ARE TRYING TO MAKE A SMALL PROCEDURAL GAIN ON ONE OR MORE OF THESE ESOTERIC POINTS BUT I DID NOT GET THAT IMPRESSION DURING THIS MEETING. BOTH LUYTEN AND JACQUOT BEMOANED THE COMPLEXITY OF THE PROCEDURAL MORASS AND THE HUGE DOSSIERS OF ANCIENT QUARRELS THAT HAVE TO BE CONSULTED EVERY TIME WE APPROACH AGRICULTURE. THEY BOTH ACKNOWLEDGED THAT NO SENIOR COMMUNITY OFFICIAL UNDERSTANDS THESE PROCEDURAL ISSUES ANYMORE. LUYTEN SAID SEVERAL TIMES DURING THIS MEETING, "LET'S FUDGE THIS ONE UP" AND LET'S LOOK FOR OLD LANGUAGE THAT'S ALREADY BEEN ACCEPTED BUT BOTH OF US SOMEPLACE OR OTHER BECAUSE ANYTHING ON RECORD IS EASIER TO SELL THAN NEW TEXTS. WE HAVE IMPRESSION EC

OFFICIALS ENGAGE IN THIS EXERCISE HALF-HEARTEDLY UNDER  
FRENCH PRESSURE WHICH WANTS PERIODIC REASSURANCE THAT  
PROCEDURES PRESERVE GROUP AG COMPETENCE.CULBERT

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## Message Attributes

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